

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
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Shunpei Yamazaki et al.)
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Serial No.: 09/500,897)
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Filed: February 9, 2000)
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For: Electronic View Finder Utilizing An)
Organic Electroluminescence Display)
)
Examiner: Justin Misleh)
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Confirmation No.: 3195)
)
Art Unit: 2622)

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

RESPONSE (H) TO OFFICE ACTION

Applicants have the following response to the Office Action of October 31, 2006, a one month extension of time being submitted herewith.

Applicants will address each of the Examiner's objections and rejections in the order in which they appear in the Office Action.

Claim Objections

In the Office Action, the Examiner objects to Claims 42-47 and 60-65 (based on the Examiner's interpretation of these claims in the 35 USC §112, first paragraph rejection below) under 37 CFR 1.75 as being a substantial duplicate of Claims 36-41 and 54-59, respectively. This objection is respectfully traversed.

As explained in more detail below, the Examiner's interpretation of the claims is incorrect. Independent Claims 42 and 60 recite a passivation film (3041) while independent Claims 36 and 54 recite a planarizing film.

Accordingly, there is no duplication in the claims, and it is respectfully requested that this objection be withdrawn.

Claim Rejections - 35 USC §112

The Examiner also rejects Claims 42-47 and 60-65 under 35 USC §112, first paragraph, as failing to comply with the written description requirement. This rejection is also respectfully traversed.

More specifically, independent Claims 42 and 60 recite a passivation film. The Examiner cited to passivation film 6003 in interpreting this claim feature. This is incorrect. The passivation film of these claims corresponds to passivation film 3041, shown for example in Fig. 16, which supports the claimed features (i.e. an electrode 3050, an emission layer 3052 and a second electrode 3054 are all formed over passivation film 3041 in Fig. 16). See also e.g. pages 23-24 of the specification. Contrary to the Examiner's interpretation, the passivation film of these claims is not passivation film 6003.

Therefore, there is a clear written description of independent Claims 42 and 60 and those claims dependent thereon. Accordingly, it is respectfully requested that this rejection be withdrawn.

Claim Rejections - 35 USC §103

The Examiner also has the following rejections under 35 U.S.C. §103:

- (a) Claims 1, 3, 32, 33 and 48-51 are rejected as being unpatentable over Tang et al. (U.S. 5,550,066) in view of Nishiguchi (U.S. 6,046,787).

- (b) Claims 34, 35, 52 and 53 are rejected as being unpatentable over Tang et al. in view of Nishiguchi and further in view of Takahara (U.S. 6,219,113).
- (c) Claims 36-39, 42-45, 54-57 and 60-63 are rejected as being unpatentable over Tang et al. in view of Hamada (U.S. 6,114,715) and further in view of Nishiguchi.
- (d) Claims 40, 41, 46, 47, 58, 59, 64 and 65 are rejected as being unpatentable over Tang et al. in view of Hamada, in view of Nishiguchi and further in view of Takahara.

Each of these rejections is respectfully traversed.

More specifically, independent Claims 1, 36, and 42 are directed to a camera having an electroluminescence display device, while independent Claims 48, 54, and 60 are directed to a camera having a view finder which includes an electroluminescence display device.

The Examiner, however, states that the feature of a camera or a camera having a view finder are in the preambles of the claims and are not limitations of the claims and are not necessary to give life, meaning or vitality to the claims. Applicants respectfully disagree.

In particular, as one skilled in the art would clearly appreciate and understand, one of the objects of the present invention and present application is to provide a camera having a display device which can present large images and a view finder for such a camera. See e.g. page 3, lines 11-15 of the specification of the present application. Further, the field of the invention of the present application is directed to cameras and view finders. See e.g. page 1, lines 5-6. The description of the related art is also directed to cameras and view finders. See e.g. pages 1-3. The rest of the specification is consistent with these teachings.

Therefore, one skilled in the art would clearly understand that, as taught in the application, “camera” and “camera having a view finder” are limitations in these claims and give meaning to the claims. Hence, Applicants respectfully submit that these features need to be considered during the examination of the application. As the Examiner has not considered these features, it is respectfully

requested that this Office Action be withdrawn so that the Examiner can reexamine the claims to consider these features.

Further, each of the above rejections is based on the combination of Tang and Nishiguchi. However, even if these references were properly combinable (which Applicants do not admit), such a combination still fails to achieve or make obvious the claimed invention which is directed to a camera. For example, neither Tang nor Nishiguchi disclose or suggest a camera. Instead, Nishiguchi is directed to a stereoscopic optical element which involves providing images for left and right eyes to produce the stereoscopic image. There would be no motivation, reason, or suggestion for one skilled in the art to utilize the structure of Nishiguchi for a display device of a camera, especially for a view finder of a camera, as in the claimed invention.

Therefore, independent Claims 1, 36, 42, 48, 54 and 60 are not disclosed or suggested by the cited references and are patentable thereover. Accordingly, it is respectfully requested that this rejection be withdrawn.

Conclusion

It is respectfully submitted that the present application is in a condition for allowance and should be allowed.

If any further fee is due for this amendment, please charge our deposit account 50/1039.

Favorable reconsideration is earnestly solicited.

Date: February 26, 2007

Respectfully submitted,

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